

**HOUSE OF REPRESENTATIVES**  
**Roll Call**  
**NATURAL RESOURCES COMMITTEE**

DATE: 1-22-07

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
REP. WALTER MCNUTT, CHAIR	✓	
REP. RALPH HEINERT, VICE CHAIR	✓	
REP. RON ERICKSON, VICE CHAIR	✓	
REP. DUANE ANKNEY	✓	
REP. DEBBY BARRETT	✓	
REP. JILL COHENOUR	✓	
REP. SUE DICKENSON	✓	
REP. BETSY HANDS	✓	
REP. GORDON HENDRICK	✓	
REP. CAROL LAMBERT	✓	
REP. SCOTT MENDENHALL	✓	
REP. JP POMNICHOWSKI	✓	
REP. JOHN ROSS	✓	
REP. VERONICA SMALL-EASTMAN	✓	
REP. KENDALL VAN DYK	✓	
REP. CHAS VINCENT	✓	



## HOUSE STANDING COMMITTEE REPORT

January 23, 2007

Page 1 of 2

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **House Bill 61** (first reading copy -- white) **do pass as amended.**

Signed: *Walter McNutt*  
Representative Walter McNutt, Chair

**And, that such amendments read:**

1. Title, page 1, line 6.

**Following:** " ; "

**Insert:** "ESTABLISHING A FORMULA FOR DETERMINING ASSESSMENTS FOR  
FIRE PROTECTION; "

2. Page 1, line 17.

**Following:** "landowner"

**Insert:** "of not more than \$45 for each landowner in the  
protection district and of not more than an additional 25  
cents per acre per year for each acre in excess of 20 acres  
owned by each landowner in each protection district as  
necessary to yield "

3. Page 1, line 19.

**Strike:** "equal to"

**Following:** "money"

**Insert:** "of money"

4. Page 1, line 20 and line 21.

**Following:** "part 1 and this part"

**Strike:** "to the department of revenue"

5. Page 1, line 21.

**Following:** "revenue."

**Insert:** "The charges established pursuant to this section must be  
billed to the owner pursuant to 76-13-207."

**Committee Vote:**

**Yes 12, No 4**

**Fiscal Note Required** \_\_\_\_

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*jbr*  
1/24/07

6. Page 1, line 30 through page 2, line 1.

**Strike:** "an" on line 30 through "to" on line 1

**Insert:** "no greater than"

7. Page 2, following line 9.

**Insert:** "NEW SECTION. Section 3. Formula to set landowner assessments for fire protection. (1) The department shall, pursuant to 76-13-207, set the annual fire assessment fee due from landowners pursuant to Title 76, chapter 13, parts 1 and 2. The total of all statewide landowner assessments may be no greater than one-third of the amount appropriated by the legislature to fund the protection costs.

(2) The individual assessments must be established using the following criteria:

(a) Each person or corporation who is responsible for fire protection pursuant to 76-13-108 and 76-13-201 and for whom the department provides fire protection must be assessed a per capita landowner fee. The total per capita landowner assessments statewide from persons or corporations who own 20 acres or less of land for which the department provides protection must be as close as administratively possible to 60% of the total private landowner assessments.

(b) A person or corporation who owns more than 20 acres of land for which the department provides protection shall, in addition to the fee assessed pursuant to subsection (2)(a), pay a per-acre fee for each whole acre that the person owns in excess of 20 acres. The total of all assessments statewide from persons or corporations who own more than 20 acres must be as close as administratively possible to 40% of the total private landowner assessments.

(3)(a) Except as provided in subsection (3)(b), the per capita and per-acre fees must remain in effect for subsequent years.

(b) The department shall reset the per capita and per-acre fees whenever it is necessary to obtain up to one-third of the amount appropriated by the legislature.

(c) Whenever the department resets the fees pursuant to subsection (3)(b) of this section, it shall do so in accordance with 76-13-201(2) and the fees must remain in effect until the condition in subsection (2)(a) of this section is met."

**Insert:** "NEW SECTION. Section 4. Codification instruction. [Section 3] is intended to be codified as an integral part of Title 76, chapter 13, part 2, and the provisions of Title 76, chapter 13, part 2, apply to [section 3]."

**Renumber:** subsequent section

- END -

# HOUSE OF REPRESENTATIVES

Roll Call Vote

## NATURAL RESOURCES COMMITTEE

DATE 1-22-07 BILL NO HB 61 MOTION NO. 4  
 MOTION: Do Pass as Amended

NAME	AYE	NO	ABSENTEE
REP. WALTER MCNUTT, CHAIR	✓		
REP. RALPH HEINERT, VICE CHAIR	✓		
REP. RON ERICKSON, VICE CHAIR	✓		
REP. DUANE ANKNEY	✓		
REP. DEBBY BARRETT		✓	
REP. JILL COHENOUR	✓		
REP. SUE DICKENSON	✓		
REP. BETSY HANDS	✓		
REP. GORDON HENDRICK		✓	
REP. CAROL LAMBERT		✓	
REP. SCOTT MENDENHALL		✓	
REP. JP POMNICHOWSKI	✓		
REP. JOHN ROSS	✓		
REP. VERONICA SMALL-EASTMAN	✓		
REP. KENDALL VAN DYK	✓		
REP. CHAS VINCENT	✓		

12-4

# WITNESS STATEMENT

## House of Representatives

### Natural Resources Committee

Please Print ~ Please Print ~ Please Print

NAME: Tim KARNATA  
ADDRESS: Box 287 Townsend MT  
TELEPHONE: 266-5212 DATE: 10-03-09  
WHOM DO YOU REPRESENT? Self  
HB: 184 Support: \_\_\_\_\_ Oppose: X

#### COMMENTS:

This Bill Does Not Appear  
To Recognize the Constitutional  
Issues Regarding Private Property  
Rights.

Furthermore, The Growth Mandate  
on local government Must Not, in Any way  
infringe upon The Rights of Private Property  
within the Jurisdiction of The County. Fiscal Note?  
Title 76 covers our Natural Resources  
+ The Protection of them.

Access to Many Resources is A Right  
of Montanans. However, Access under  
The Concept of This Bill is Looking At A  
Privilege. This Must Be clearly  
Delineated in the Language  
(over)

Furthermore,  
Title 75 of MCA  
Also look at our waterways

Tim Kuntz

Private Property  
IS

Paramount

**Montana House of Representatives  
Visitors' Register**

**NATURAL RESOURCES COMMITTEE**

Date 1-22-07

Bill Nos. HB 167, 184, 200 Sponsor(s) Rep. Hands; Rep. Gopek

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Name	Representing	Bill No.	Support	Oppose	Info.
Will Selser	Self	167	X		
Tom Schultz	DNR	200			X
ROBIN CUNNINGHAM	SELF	184	X		
Charles Brooks	Yellowstone Natl Park	184			
Margaret Morgan	Holcim, Trident Plant	167	X		
Tim RAVNDAL	SELF	184		X	

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.